

UNITED STATES COURTS  
SOUTHERN DISTRICT OF TEXAS  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

FILED  
AUG 17 2006  
MICHAEL H. KELLY, CLERK OF COURT

LIBERIAN BANK FOR DEVELOPMENT	*	CIVIL ACTION NO. H06cv2581
AND INVESTMENT	*	
	*	SECTION:
VERSUS	*	
	*	JUDGE ATLAS
STERLING BANK, STERLING	*	
BANCSHARES, INC., BANK OF	*	MAG.
AMERICA CORPORATION and	*	
DR. KILARI ANAND PAUL a/k/a	*	
ANAND KILARI PAUL	*	
	*	
*****		

**AMENDED COMPLAINT**

TO THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION

**NOW INTO COURT**, through undersigned counsel, comes Liberian Bank for Development and Investment, who files this Amended Complaint against Sterling Bank, Sterling Bancshares, Inc., Bank of America Corporation, Dr. Kilari Anand Paul a/k/a Anand Kilari Paul and Global Peace Initiative, for dishonoring a teller's check presented for payment by plaintiff. Plaintiff seeks to amend the original Complaint to add Global Peace Initiative as a defendant to the above captioned action. Plaintiff files this amendment under Federal Rule of Civil Procedure 15(a) as a matter of course since no responsive pleadings have been filed by the named defendants. In further support, Liberian Bank for Development and Investment respectfully represents as follows:

**Parties**

1.

Plaintiff, Liberian Bank for Development and Investment, is a foreign corporation with its principal place of business at Randall & Ashmun Street, Monrovia, Liberia.

2.

(a) Defendant, Sterling Bank, is a federally insured banking institution which is authorized to and doing business in the state of Texas with its principal place of business located at 2550 North Loop, Suite 600, Houston, Texas 77092. Sterling Bank is a wholly owned subsidiary of defendant, Sterling Bancshares, Inc.

(b) Defendant, Sterling Bancshares, Inc., is a corporation organized under the laws of the State of Texas with its principal place of business at 2550 North Loop West, Suite 600, Houston, TX 77092. Upon information and belief, Sterling Bancshares, Inc., is a bank holding company that operates through its wholly owned subsidiary, Sterling Bank.

(c) Defendant, Bank of America Corporation ("Bank of America"), is a corporation organized under the laws of the State of Delaware with its principal place of business at 100 North Tryon St., Charlotte, North Carolina 28255. Bank of America is authorized and doing business in the state of Texas within this judicial district.

(d) Defendant, Dr. Kilari Anand Paul, is a natural person of majority age who, upon information and belief, is a citizen of the state of Texas who resides within this judicial district.

(e) Defendant, Global Peace Initiative, is a non-profit organization not authorized to do business in the State of Texas and whose principal offices and registered agent are located in Washington, DC.

**Jurisdiction**

3.

This Court has jurisdiction over this lawsuit under 28 U.S.C. & 1332(a)(1) because plaintiff and defendants are citizens of different states and the amount in controversy exceeds \$75,000, exclusive of interest, court costs and attorney's fees.

**Venue**

4.

Venue is proper in this court under 28 U.S.C. & 1391(a) because certain of defendants are residents of this judicial district and because certain events and omissions giving rise to this claim occurred in this district.

**Statement of Facts**

5.

On 24 July 2003, Sterling Bank executed a bank draft, or more specifically a teller's check, directing Bank of America, N.A. to pay to the order of Liberia For Jesus ("LFJ")--a non-profit religious organization--the amount of TWO HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$250,000.00). The check was presented to LFJ by Dr. Kilari Anand Paul, an evangelist residing in Houston, on 26 July 2003, during ceremonies held in Liberia. A copy of the check is attached to the original Complaint as Exhibit "A" and incorporated herein by reference.

6.

The teller's check or bank draft was properly endorsed by LFJ officials and was presented to plaintiff by LFJ to be honored. Plaintiff honored the check and made payment to LFJ, an account holder with plaintiff, relying on the credit of defendants, Bank of America and Sterling Bank.

7.

Plaintiff sent the teller's check to its correspondent bank, Citibank in New York, for collection in the ordinary course of banking business.

8.

Plaintiff, through its correspondent bank Citibank, presented the teller's check to defendant Bank of America as designated on the check. On 18 August 2003, Bank of America was presented for payment and refused to honor the teller's check (Exhibit "A") on the basis that Sterling Bank or some other third party issued a stop payment order. Upon information and belief, defendants, Dr. Kilari Anand Paul and/or Global Peace Initiative, was/were the remitters of the teller's check and may have instructed one or both of the defendant banks to stop payment on the check (see Exhibit "A" to the original Complaint).

9.

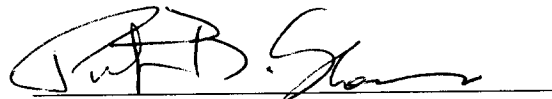
Plaintiff is the owner and holder in due course of the teller's check (Exhibit "A") on which there is due to it the sum of TWO HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$250,000.00). Plaintiff seeks against defendants jointly and severally this principal amount, plus accrued interest, expenses, consequential damages, court costs and reasonable attorneys' fees as allowed under applicable law.

**WHEREFORE**, Liberian Bank for Development and Investment prays that after due proceedings be had, that:

1. Defendants be cited to appear and answer, and that Judgment be issued, after due proceedings, holding defendants Sterling Bank, Sterling Bancshares, Inc., Bank of America Corporation, Dr. Kilari Anand Paul a/k/a Anand Kilari Paul and Global Peace Initiative jointly and severally liable to plaintiff for the amounts due and owing pursuant to the teller's check dated 24 July 2003 (Exhibit "A") plus interest, expenses, consequential damages, court costs, and reasonable attorneys' fees;
2. For all other just and equitable relief to which plaintiff may be entitled.

Respectfully submitted,

MURPHY, ROGERS, SLOSS & GAMBEL



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